

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ZELDA V. GAY,

Plaintiff,

v.

OFFICER GRAY,

Defendant.

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Civil Action No. **3:11-CV-1694-L**

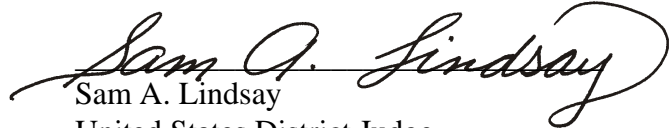
ORDER

Before the court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, filed September 14, 2011. Plaintiff did not file any objections.

Plaintiff Zelda V. Gay (“Plaintiff”) filed this action against Officer Gray alleging, while Plaintiff was a patient at Baylor Hospital in Garland, Texas, Officer Gray failed to conduct a proper inquiry into an assault reported to him involving Plaintiff and a hospital staff member. The magistrate judge concluded that this case should be dismissed for lack of subject matter jurisdiction because Plaintiff alleges a state law claim and does not allege diversity of citizenship. The magistrate judge also concluded that there is no constitutional right to an investigation by law enforcement officials and thus no federal claim pursuant to 42 U.S.C. § 1983.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. They are therefore **accepted** as those of the court. Accordingly, the court **dismisses** this action **without prejudice** for lack of subject matter jurisdiction.

It is so ordered this 30th day of September, 2011.


Sam A. Lindsay
United States District Judge